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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR. JUSTICE H.L.DATTU

WRIT PETITION NO. 33618/1994.

BETWEEN:

Sri.Md.Shafi,  
S/o. Mohamed, Aged Major,  
C/o. D.Anwar, r/o. No.6,  
MIG-II, KHB Colony,  
Sandur - 583 119,  
Bellary District.

: PETITIONER

(Sri.M.H.Sawkar for Petitioner)

AND:

1. The Secretary,  
University Grant Commission,  
Bahadur Shah Zafar Marg,  
New Delhi - 110 002.

2. The Principal,  
Sri prabhu Arts, Science  
and J.M. Bohara Commerce  
College, Surapur - 585 224,  
Gulbarga District.

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3. The Secretary,  
Hyderabad Karnataka Education  
Society, Gulbarga - 585 102.

4. The Director of Collegiate  
Education, Seshadri Road,  
Bangalore. : RESPONDENTS

(Sri.S.Udayashankar, AGA, for R-3 & 4)

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This Writ Petition filed under Articles 226 &  
227 of the Constitution of India with an affidavit  
praying to direct the respondents to disburse the  
remaining balance of the salary of the petitioner  
for the period from 15.7.90 to 1.6.91 according  
to UGC Scale and etc.,

This Writ Petition coming on for hearing this  
day, the Court made the following:

O R D E R

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O R D E R

Petitioner in this Writ Petition is staff working in aided private educational institutions. <sup>He</sup> ~~Petitioner~~ is before this Court interalia seeking directions to the respondents to accord certain service benefits including monetary benefits.

In my view, these reliefs cannot be granted by this Court in view of the observations made by a Division Bench of this Court in W.A.Nos. 1833 to 1836/1995 disposed off on 30.5.1998.

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This Court while considering the issue whether the staff (Teaching and non-teaching) working in educational institutions run by private management can maintain Writ Petitions to claim financial aid from the State Government in the absence of Master and Servant relation and other incidental issues, was pleased to observe that the writ petitions filed by teaching and non-teaching staff of private educational institutions are not

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are not maintainable before this Court.

Respectfully following the observations made in the aforesaid decision, this petition is disposed off as not maintainable before this Court for the reliefs sought therein. However, liberty is reserved to the petitioner to approach the proper forum as suggested by this Court in the aforesaid decision. Ordered accordingly.

Sd/-JUDGE.

T.by: JL

r.by: 18/10/88

COPY

c.by: vln

Assistant Registrar  
High Court of Karnataka  
Bangalore - 560 001. 18/10/88

